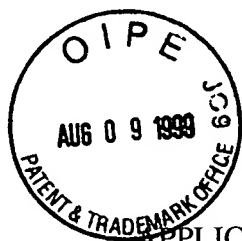


AF/GAY 1642 \$

PATENT
2257-1-001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS

APPLICANT : ANDREW WILLIAM HEATH

SERIAL NO. : 08/878,348

EXAMINER : P. GAMBEL

FILED : JUNE 18, 1997

ART UNIT : 1642

FOR : NOVEL VACCINE DEVELOPMENT

RECEIVED

AUG 10 1999

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, D.C. 20231 on August 4, 1999.

Michael D. David, Reg. No. 39,161
(Name of Registered Rep.)

Betty Schultz 8/4/99
(Signature and Date)

NOTICE OF APPEAL

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated February 8, 1999 of the Primary Examiner finally rejecting claims 1-10, 12, 13, 15-23.

As Applicant qualifies as a small entity, a check is enclosed in the amount of \$150.00.

A Petition is being filed simultaneously herewith, extending to the time period for three month(s) for responding to the final Office Action.

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PATENT
2257-1-001

Please charge any additional fees or credit any overpayment to the undersigned firm's
Deposit Account No. 11-1153. A duplicate copy of this paper is enclosed for your convenience.

Applicants reserve the right to request an Oral Hearing.

Respectfully submitted,


MICHAEL D. DAVIS
Attorney for Applicant(s)
Registration No. 39,161

KLAUBER & JACKSON
411 Hackensack Avenue
Hackensack, NJ 07601
(201)487-5800

Date: August 4, 1999